

PUBLIC NOTICE

CITY OF PROVIDENCE

ZONING BOARD OF REVIEW

190 DYER STREET

PROVIDENCE, RHODE ISLAND 02903-3902

Notice is hereby given that the Zoning Board of Review will be in session in the Probate Court Room, fifth floor, City Hall, 25 Dorrance Street on Tuesday, May 26, 2009, at 5:30 P.M. and 7:00 P.M. when all persons interested will be heard for or against the granting of the following applications for variances and special use permits under Section 902 of the Zoning Ordinance:

5:30 P.M.

Pursuant to Section 906, correspondence has been received requesting a six-month extension of the following matter:

AMT HOLDINGS, LLC: 236-238 Atwells Avenue (corner Falls Place), Lot 644 on the Tax Assessor's Plat 28 located in a General Commercial C-2 Zone; to be relieved from Sections 303-use code 57.1, 305.1(8) and 703.2 pursuant to Section 200 in the proposed expansion of the existing restaurant by constructing a single-story, 21' x 31'10" addition to the southeast corner of the building. The applicant is requesting a special use permit in order to expand the restaurant beyond the maximum permitted floor area of 2500 square feet. Further, the proposal seeks to increase the seating capacity to 135 seats, thereby requiring 33 parking spaces, this request provides

for no on-site parking. The lot in question contains approximately 4,103 square feet of land area.

On February 23, 2009, the following members heard and continued the following matter for further details

YORK, STROTHER, EGAN, WOLF AND UNDERWOOD

LUCILLA CARASCO: 543-549 Broad Street (corner Parkis Ave.) Lot 32 on the Tax Assessor's Plat 30 located in a Limited Commercial C-1 Zone and the Commercial Corridor Overlay District; to be relieved from Sections 303-use code 58 (entertainment), 507.6(B) (parking - CCOD) and 703.2 (parking). The existing building contains 4 commercial spaces on the first floor and open unoccupied space on the second floor. The applicant proposes to expand the existing restaurant (containing 10 seats, permitted) located within the southeast corner of the building into the currently vacant - middle space on the first floor. The applicant further proposes to increase the number of seats from 10 to 114 seats in order to provide a banquet facility within the restaurant. There is another existing restaurant located within the northwest corner of the structure, which will remain unchanged. The applicant seeks a use variance from regulations governing the inclusion of entertainment within the restaurant located within the C-1 zone, and a dimensional variance relating to the parking requirement; whereby, the on-site parking obligation for the entire structure located within the CCOD

(subtracting the vacant space) requires 16 parking spaces, the existing parking area in the rear supports 14 spaces. The lot in question contains approximately 12,092 square feet of land area.

On April 27, 2009, the following members heard and continued the following matter for further details:

YORK, STROTHER, EGAN, WOLF, VARIN AND UNDERWOOD

A-47 CHRISTIAN INTERDENOMINATIONAL ASSEMBLY: 483-485 Washington Street, Lot 39 on the Tax Assessor's Plat 29 located in a Heavy Commercial C-4 Zone; to be relieved from Sections 305.1(4), 305.1(8) and 703.2. The applicant proposes to demolish the existing building and construct a new 24' x 71'6" building that would be used for a church. Religious services are permitted within the C-4 district. The Applicant is requesting a dimensional variance relating to the front and rear yard setbacks and provisions for parking; whereby 16 parking spaces are required, no on-site parking would be provided. The lot in question contains approximately 3,400 square feet of land area.

NEW MATTERS

SMITH HILL COMMUNITY DEVELOPMENT CORP.: 513 & 515 Chalkstone Avenue, Lots 533 & 565 on the Tax Assessor's Plat 69 located in a Residential R-3 Three-Family Zone; to be relieved from

Sections 204.2, 304 and 416.4 in the proposed construction of a new 1,394 square foot single-family dwelling on Lot 565 (513 Chalkstone Ave.) and Lot 533 (515 Chalkstone Ave.) construct a 24' x 40' single-family dwelling on Lot 537, which contains approximately 3,384 square feet of land area. The existing two-family structure on Lot 533 (515 Chalkstone Ave.) containing 3,398 square feet of land area will remain unchanged. As per Section 204.2 of the Zoning Ordinance, if two or more contiguous lawfully established substandard lots of record, where one or more of the lots are less than 4,000 square feet and are under the same ownership on or anytime after October 24, 1991, such lots shall be considered one lot and undivided for the purpose of the Ordinance. In this instance, both lots are substandard in size and are recorded under the same ownership. The applicant seeks a dimensional variance in order to retain the lots separately and construct a one-family dwelling on Lot 565. The new structure would be equal to the average of the actual front yards of the existing structures along Chalkstone Avenue; however, a new front porch would extend into the required front yard.

ARCESE REALTY, OWNER AND SONA, LLC, APPLICANT AND LESSEE: 142 Dean Street & 178 Atwells Avenue, Lots 335 & 336 on the Tax Assessor's Plat 26 located in a General Commercial C-2 Zone; to be relieved from Sections 401.1 and 703.2, request for dimensional variance relating to outdoor seating, whereby the existing restaurant/bar has 62 indoor seats. Section 401.1 allows an additional 25 percent of the existing interior seating outdoors, which

would be 15.5 outdoor seats. The applicant proposes to provide 36 seats outdoors, which are 20.5 seats over and above the allowed number of outdoor seats. Further, the additional outdoor seating requires 6 parking spaces, which cannot be provided on-site. The applicant also seeks to provide the outdoor seating past the 11:00 P.M. restriction as provided at Section 401.1. Separate and apart from the request for the additional outdoor seating, the applicant is seeking a special use permit in order to provide entertainment within the restaurant/bar. On July 8, 2008, the Board granted a special use permit for entertainment for a period of one year only, and the Board further approved the number of outdoor seats at 36 under Resolution No. 9335 dated December 3, 2008. The lots in question together contain approximately 3,526 square feet of land area.

7:00 P.M.

On April 27, 2009, the following members heard and continued the following matter for further details:

YORK, STROTHER, EGAN, WOLF, VARIN AND UNDERWOOD

RHODE ISLAND STATE PIER PROPERTIES, LLC (OWNER OF LOTS 481 & 489) AND CARGILL, INC. (OWNER OF LOT 128): 170-180, 184 & 186-200 Allens Avenue, Lots 481, 489 and 128 on the Tax Assessor's Plat 46 located within a Waterfront W-3 Zone; to be relieved from Sections 303-use code 33.3 (transient amusement); 303-use code 33.4

(outdoor entertainment); 303-use code 64.1 (parking lot, principle use); 303-use code 52 (outdoor trade); 303-use code 58 (restaurant with entertainment); 401.1 (outdoor restaurant seating); 425 (landscaping); and 705.4 (paving, parking areas). The applicant seeks variances to (a) allow outdoor restaurant seating, 38 seats for the restaurant and bar with outdoor entertainment on Lot 481; (b) remove the time restrictions for the parking on Lot 481, pursuant to Section 903.7; (c) allow parking spaces for 522 vehicles to be divided onto Lots 481, 489 and 128; (d) to defer landscaping, tree planting and paving for the parking areas; and (e) allow transient amusement, outdoor entertainment and outdoor trade uses on Lots 481, 489 and 128. The applicant is requesting a use variance for the aforementioned use codes and a dimensional variance from regulations governing paving and landscaping. The lots in question together contain approximately 188,013 square feet of land area.

THIS MEETING MAY BE CONTINUED FROM DAY TO DAY AND TIME TO TIME AT THE DISCRETION OF THE ZONING BOARD OF REVIEW.

THIS MEETING IS ACCESSIBLE TO ALL PERSONS. INDIVIDUALS REQUESTING INTERPRETER SERVICES MUST NOTIFY THE OFFICE OF NEIGHBORHOOD SERVICES AT (401) 421-7768, 48 HOURS IN ADVANCE OF THE HEARING DATE.

ESTA REUNION PUEDE SER CONTINUADA EN CUALQUIER

**MOMENTO BAJO LA DISCRETION DE LA JUNTA DE REVISIONES
DE ZONA.**

**LA INFORMACION DE ESTA REUNION ESTA DISPONIBLE PARA
TODAS LAS PERSONAS E INDIVIDUOS QUE REQUIERAN SERVICIOS
DE INTERPRETE, LLAME A LA OFICINA DE SERVICIOS VECINDALES
AL (401) 421-7768, POR LO MEMOS 48 HORAS ANTES DE SU FECHA
DE JUICIO.**

**PETER D. CARNEVALE, SECRETARY
(401) 421-7740 EXT. 376**